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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,554	03/29/2005	Klaus Graeler	P70341US0	7910
136	7590	05/12/2006	EXAMINER	
JACOBSON HOLMAN PLLC			HINZE, LEO T	
400 SEVENTH STREET N.W.			ART UNIT	
SUITE 600			PAPER NUMBER	
WASHINGTON, DC 20004			2854	

DATE MAILED: 05/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

**Office Action Summary**

Application No.

10/529,554

Applicant(s)

GRAELER ET AL.

Examiner

Leo T. Hinze

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 10 is/are rejected.
- 7) ☐ Claim(s) 6-9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                    |                                                                             |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____                                                |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>20051017</u> .                                                            | 6) <input type="checkbox"/> Other: _____                                    |

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## DETAILED ACTION

### *Claim Objections*

1. Claims 1-10 are objected to because of the following informalities:
  - a. Regarding claim 1, “the doctor blade chamber body” in line 5 lacks the proper antecedent basis.
  - b. Regarding claim 1, “the long fasteners” in line 8 lacks the proper antecedent basis.
  - c. Regarding claim 1, it appears that “points to” in line 16 should be --points away--. To expedite prosecution, the examiner will examine the claim as if line 16 says “points away.”
  - d. Claims 1-4 recite “fasteners,” “long fasteners,” and “long-stretch fasteners.” It appears that these all refer to the same element, and, as such, the description of the element should be consistent throughout the claims.

Appropriate correction is required.

### *Drawings*

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “at least one inflatable hose” of claim 3 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the

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replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Nordby et al., WO 00/78548 A1 (hereafter Nordby). Reference to Nordby is based on the US equivalent patent 6,637,330 B1.

a. Regarding claim 1, Nordby teaches color chamber doctor blade (3, Fig. 10a) with two doctor blade knives (4, Fig. 10a) that can be set up in roof-like fashion against a roller (9, Fig. 10a) from which both the doctor blade knives can be fixed on the doctor blade chamber body (3, Fig. 10a) by a clamping plate (5, Fig. 10a) and the clamping plate is in active connection with the long fasteners (34, Fig. 10a) stretching in the axial direction of the roller, which are arranged essentially parallel to the clamping plate and from which the force required for fixing at least one doctor blade knife is applied

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characterized in that the resultant of the forces applied by the fasteners points away from the doctor blade chamber body.

b. Regarding claim 2, Nordby teaches all that is claimed as discussed in the rejection of claim 1 above. Nordby also teaches the clamping plate is at least one specially shaped top piece (5, Fig. 10a), which forms an active connection with the long-stretch fasteners (34, Fig. 10a) in the axial direction of the roller.

c. Regarding claim 3, Nordby teaches all that is claimed as discussed in the rejection of claim 1 above. Nordby also teaches that the fasteners can be built with at least one inflatable hose, the variation in the volume of which provides the force required for fixing the two doctor blade knives (col. 3, ll. 45-49).

d. Regarding claim 4, Nordby teaches all that is claimed as discussed in the rejection of claim 1 above. Nordby also teaches the fasteners (34, Fig. 10a) are built with at least one rod, through the movement of which relative to the color chamber doctor blade, the force required for fixing at least one doctor blade knife can be provided (see movement of fasteners 34 in Figs. 10a and 10b).

e. Regarding claim 5, Nordby teaches all that is claimed as discussed in the rejection of claim 4 above. Nordby also teaches that the relative movement of the rod (34, Fig. 10a) consists of a rotation around its principal axis of inertia (see movement of fasteners 34 in Figs. 10a and 10b).

f. Regarding claim 10, Nordby teaches all that is claimed as discussed in the rejection of claim 1 above. Nordby also teaches a process for fixing of a doctor blade knife of a color chamber doctor blade (see doctor blade knife 4 affixed to color chamber doctor blade 3, Fig. 10a) according to claim 1 (see rejection of Claim 1 above).

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*Allowable Subject Matter*

5. Claims 6-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

a. Regarding claim 6, the prior art of record does not teach or render obvious a chamber doctor blade having all of the structure and functionality as claimed, including wherein the rod has a recess suitable for clamping the clamping plate or its top piece.

*Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Rogge et al., US 5,735,210 (hereafter '210) appears to anticipate all that is claimed as discussed in claim 1. '210 teaches color chamber doctor blade (11, Fig. 1) with two doctor blade knives (30, 31, Fig. 1) that can be set up in roof-like fashion against a roller (2, Fig. 1) from which both the doctor blade knives can be fixed on the doctor blade chamber body (11, Fig. 1) by a clamping plate (28, 29 Fig. 1) and the clamping plate is in active connection with the long fasteners (28, 29, Fig. 1) stretching in the axial direction of the roller, which are arranged essentially parallel to the clamping plate and from which the force required for fixing at least one doctor blade knife is applied characterized in that the resultant of the forces applied by the fasteners points away from the doctor blade chamber body.

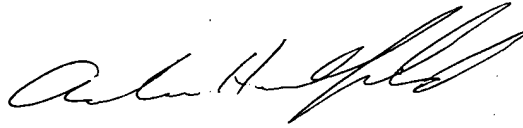
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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leo T. Hinze whose telephone number is (571) 272-2167. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Leo T. Hinze  
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AU 2854  
05 May 2006



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